

# HOUSE BILL 1089

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By: **Calvert County Delegation**

Introduced and read first time: February 10, 2012

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – Appointment of Assistant Sheriff – Candidates**

3 FOR the purpose of requiring the Sheriff of Calvert County to appoint as assistant  
4 sheriff an individual who is an active duty deputy sheriff and holds a certain  
5 rank in the Calvert County Sheriff's Office or an individual who is not a current  
6 employee of the Sheriff's Office; establishing that the Sheriff has sole discretion  
7 to appoint the assistant sheriff; authorizing the Sheriff to appoint the assistant  
8 sheriff without subjecting the candidate to a written examination; establishing  
9 the salary and merit status of the assistant sheriff based on the position the  
10 assistant sheriff held immediately before appointment; requiring an active duty  
11 deputy sheriff who was appointed to the position of assistant sheriff to be  
12 permitted to return to the position the assistant sheriff held before appointment  
13 including certain salary adjustments; and generally relating to sheriffs in  
14 Calvert County.

15 BY repealing and reenacting, with amendments,  
16 Article – Courts and Judicial Proceedings  
17 Section 2–309(f)  
18 Annotated Code of Maryland  
19 (2006 Replacement Volume and 2011 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article – Courts and Judicial Proceedings**

23 2–309.

24 (f) (1) (i) The Sheriff of Calvert County shall receive an annual salary  
25 of:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 1. \$78,000 for calendar year 2006;
- 2 2. \$81,000 for calendar year 2007;
- 3 3. \$84,000 for calendar year 2008; and
- 4 4. \$87,000 for calendar year 2009 and each subsequent  
5 calendar year.

6 (ii) 1. On or after January 1, 2011, the County  
7 Commissioners may pay to the Sheriff additional compensation equal to the amount of  
8 contributions the County Commissioners would have made to the Calvert County  
9 Employees' Savings Plan on behalf of the Sheriff for the years of service the Sheriff  
10 accrued as the Sheriff of Calvert County prior to joining the Calvert County  
11 Employees' Savings Plan.

12 2. The amount payable in subparagraph 1 of this  
13 subparagraph may be made in one or more payments as deemed appropriate by the  
14 County Commissioners.

15 (2) The Sheriff may appoint deputy sheriffs in the number and at the  
16 salary approved by the County Commissioners. The deputy sheriffs shall serve under  
17 the direction of the Sheriff. Within one year of their appointment, they shall complete  
18 the course prescribed for police officers by the Maryland Police Training Commission.  
19 The deputy sheriffs funded by the County Commissioners will become merit system  
20 employees of the Calvert County Sheriff's Office upon completion of their initial  
21 probation period and may not be dismissed without cause, except the deputy sheriffs  
22 funded through grants or other sources may be dismissed without cause when the  
23 funding source is depleted. There may be no honorary deputy sheriffs of Calvert  
24 County and no one is authorized to carry badges, certificates, or other materials for  
25 the purpose of identifying the bearer as an honorary deputy sheriff. However, the  
26 Sheriff may appoint as special deputy sheriffs any members of the police force of the  
27 towns of North Beach or Chesapeake Beach who shall have all of the powers and  
28 authority of the deputy sheriffs. The County Commissioners are authorized to  
29 reimburse the towns of North Beach and Chesapeake Beach in whole or in part for  
30 services performed by the special deputy sheriffs outside the town limits.

31 (3) (I) The Sheriff may appoint 1 full-time assistant sheriff who  
32 shall:

33 [(i)] 1. Serve under the direction of the Sheriff; and

34 [(ii)] 2. Be designated by the Sheriff as a line officer.

35 (II) **THE SHERIFF SHALL APPOINT AN INDIVIDUAL TO**  
36 **SERVE AS THE ASSISTANT SHERIFF WHO:**

1                   1.     **IS AN ACTIVE DUTY DEPUTY SHERIFF AND HOLDS**  
2 **THE RANK OF A COMMISSIONED OFFICER IN THE CALVERT COUNTY SHERIFF'S**  
3 **OFFICE; OR**

4                   2.     **IS NOT A CURRENT EMPLOYEE OF THE CALVERT**  
5 **COUNTY SHERIFF'S OFFICE.**

6                   (III) 1.     **THE APPOINTMENT OF THE ASSISTANT SHERIFF**  
7 **IS IN THE SOLE DISCRETION OF THE SHERIFF.**

8                   2.     **THE SHERIFF MAY APPOINT THE ASSISTANT**  
9 **SHERIFF WITHOUT SUBJECTING THE CANDIDATE TO A WRITTEN EXAMINATION.**

10                  (IV) 1.     **IF THE ASSISTANT SHERIFF WAS AN ACTIVE DUTY**  
11 **DEPUTY SHERIFF IN THE CALVERT COUNTY SHERIFF'S OFFICE IMMEDIATELY**  
12 **BEFORE APPOINTMENT, THE ASSISTANT SHERIFF:**

13                   A.     **SHALL RECEIVE AN ANNUAL SALARY THAT DOES**  
14 **NOT EXCEED BY MORE THAN 6 PERCENT THE SALARY OF THE HIGHEST RANKING**  
15 **OFFICER IN THE CALVERT COUNTY SHERIFF'S OFFICE;**

16                   B.     **SHALL RETAIN MERIT STATUS; AND**

17                   C.     **AT THE END OF AN APPOINTMENT, SHALL BE**  
18 **PERMITTED TO RETURN TO THE PREVIOUS RANK THE ASSISTANT SHERIFF HELD**  
19 **PRIOR TO APPOINTMENT, INCLUDING ANY COST-OF-LIVING ADJUSTMENTS AND**  
20 **SALARY STEP INCREASES THE ASSISTANT SHERIFF WOULD HAVE RECEIVED IF**  
21 **THE DEPUTY SHERIFF HAD NOT BEEN APPOINTED ASSISTANT SHERIFF.**

22                   2.     **IF THE ASSISTANT SHERIFF WAS NOT AN**  
23 **EMPLOYEE OF THE CALVERT COUNTY SHERIFF'S OFFICE IMMEDIATELY**  
24 **BEFORE APPOINTMENT, THE ASSISTANT SHERIFF:**

25                   A.     **SHALL RECEIVE AN ANNUAL SALARY THAT IS**  
26 **ESTABLISHED THROUGH A MUTUAL AGREEMENT BETWEEN THE SHERIFF AND**  
27 **THE COUNTY COMMISSIONERS OF CALVERT COUNTY; AND**

28                   B.     **MAY NOT BE GIVEN MERIT STATUS.**

29                   (4) (i)     **Except as provided in subparagraph (ii) of this paragraph,**  
30 **any Sheriff of Calvert County who, since 1948, has served for three or more terms**  
31 **shall receive a pension when he leaves office in the annual amount of \$150 for each**  
32 **year served. This pension shall be paid not less frequently than once a month.**

